

**AN ORDINANCE BY COUNCILMEMBER DEBI STARNES 03-O-0407
AS SUBSTITUTED BY FINANCE/EXECUTIVE COMMITTEE
& AS AMENDED BY FULL COUNCIL**

**AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDED AND
RESTATED WATER/SEWER REIMBURSEMENT AGREEMENT WITH
ATLANTIC STATION, L.L.C.; APPROPRIATING FUNDS IN THE AMOUNT
OF \$8,000,000; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta, by Resolution No. 99-R-1344, adopted by the City Council on October 4, 1999 and signed by the Mayor on October 5, 1999, has designated the Atlantic Steel Brownfield Redevelopment Area, adopted a redevelopment plan, and created the Tax Allocation District Number Two--Atlantic Steel (the "TAD") to facilitate to redevelopment of the area, the site of a former steel mill, into a mixed use community of homes, offices, shops, recreation, and hotels; and

WHEREAS, Atlantic Station, L.L.C. ("Atlantic Station") has acquired the real property located in the Redevelopment Area and is developing the property in accordance with the Atlantic Steel Brownfield Redevelopment Plan; and

WHEREAS, the Redevelopment Area contained no useable water supply or sanitary sewer infrastructure; and

WHEREAS, the Redevelopment Plan provided that the City, through the TAD, would pay the costs for infrastructure construction, including roads, utilities, environmental remediation and capping, and the parking garage; and

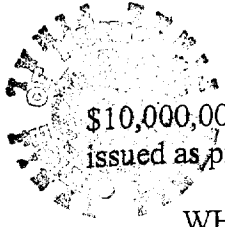
WHEREAS, the Redevelopment Plan provided further that the "Total Phase I TAD Contribution" from the City would not exceed \$110,000,000; and

WHEREAS, the Redevelopment Plan provided further that "[m]atching funds will be sought to assist in projects (sic) financing from appropriate funding sources;" and

WHEREAS, as part of implementation of the Redevelopment Plan, Atlantic Station and the City entered into a Development Agreement whereby Atlantic Station agreed to construct the necessary water and sanitary sewer infrastructure and other infrastructure needed in order to develop the site in accordance with the Redevelopment Plan; and

WHEREAS, the sanitary sewer improvements constructed by Atlantic Station included separation of the storm and sanitary sewer system and construction of a 36-inch sanitary sewer bypass system for final connection to the City's existing 54-inch sanitary sewer (the "Sewer Improvements"); and

WHEREAS, pursuant to Ordinance 00-O-1963, adopted by the Council on December 4, 2000 and signed by the Mayor on December 12, 2000, the City provided interim financing of



\$10,000,000 for construction of the Sewer Improvements until tax allocation bonds could be issued as provided in the Redevelopment Plan; and

WHEREAS, in accordance with the provisions of Ordinance 00-O-1963, the City and Atlantic Station entered into a Water/Sewer Reimbursement Agreement dated February 19, 2001 for payment of the interim financing; and

WHEREAS, the City issued \$76,505,000 in Series 2001 Tax Allocation Bonds on October 25, 2001 (the "TAD Bonds"); and

WHEREAS, at the closing of the TAD Bonds, the City withdrew \$10,000,000 in TAD Bond proceeds for reimbursement of the Water and Sewer Renewal and Extension Fund of the amount previously paid to Atlantic Station; and

WHEREAS, Atlantic Station received approximately \$45,400,000 from the proceeds of the TAD Bonds, which was not sufficient to reimburse Atlantic Station for all costs of the Sewer Improvements and other infrastructure constructed in Phase I in accordance with the Redevelopment Plan, which costs total \$138,899,000 to date; and

WHEREAS, by Ordinance 01-O-1900, adopted by the Council on November 19, 2001 and approved by the Mayor on November 27, 2001, the City accepted dedication of the Sewer Improvements and accompanying sewer easements and assignments; and

WHEREAS, the Sewer Improvements, defined as the "Atlantic Steel Separation Project," were included in the City of Atlanta Water and Wastewater Revenue Bonds Series 2001A as a "CSO Related Project;" and


WHEREAS, by Ordinance 02-O-0092, which was adopted by the Council on February 18, 2002, and approved by the Mayor on March 5, 2002, the City appropriated \$11,770,000 in funds from the Series 2001A bond issue (Water and Wastewater Bond Construction Fund) for funding of a portion of the costs of the Sewer Improvements; and

WHEREAS, in accordance with the provisions of Ordinance 02-O-0471, adopted by the Council on March 18, 2002 and approved by the Mayor on March 26, 2002, the City and Atlantic Station entered into a First Amended and Restated Water/Sewer Reimbursement Agreement for payment of \$11,770,000; and

WHEREAS, Atlantic Station has expended the sum of \$21,584,835 for construction of the Sewer Improvements; and

WHEREAS, the Council now desires to authorize execution of a Second Amended Water/Sewer Reimbursement Agreement and to appropriate \$8,000,000 for payment to Atlantic Station of additional sums owed for construction of the Sewer Improvements as provided in the Redevelopment Plan and the Series 1999A Water and Wastewater Revenue Bonds.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:



Section 1. The Mayor is authorized to enter into a Second Amended and Restated Water/Sewer Reimbursement Agreement with Atlantic Station, L.L.C. for reimbursement of an amount not to exceed \$8,000,000 for construction of the Sewer Improvements in the Atlanta Steel Brownfield Redevelopment Area.

Section 2. This reimbursement shall be made in addition to the reimbursement of \$11,770,000 authorized by Ordinance 02-O-0471 and appropriated by Ordinance 02-O-0092, which shall otherwise remain in full force and effect.

Section 3. The 1999 Water and Wastewater Bond Fund is hereby amended as follows:

Transfer From Appropriations

2J26 791001 T11001	Fundwide Reserves	<u>\$8,000,000.00</u>
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Transfer to Appropriations

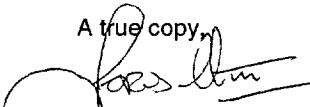
2J26 774001 M24I02569999	Atlantic Station Sewer	<u>\$8,000,000.00</u>
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Section 4. All expenses under this Second Amended and Restated Water/Sewer Reimbursement Agreement shall be paid from fund, account and center number 2J26 591001 M24I02569999.

Section 5. The City Attorney shall review and approve as to form an appropriate contractual agreement for execution by the Mayor.

Section 6. Said agreement shall not become binding on the City, and the City shall not incur any liability thereunder, until the agreement has been signed by the Mayor and delivered to Atlantic Station, L.L.C.

A true copy,



Deputy Clerk

ADOPTED as amended
APPROVED by the Mayor

March 17, 2003
March 25, 2003

RCS# 4590
3/17/03
8:03 PM

Atlanta City Council

Regular Session

03-O-0407

Enter 2nd Water/Sewer Reimbursement
Agreement with Atlantic Station, LLC
ADOPT/SUB/AMEND

YEAS: 9
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 2
ABSENT 1

E Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
Y Young	E Shook	NV Maddox	NV Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

03-O-0407

03-0-0407
(Do Not Write Above This Line)

An **Ordinance** by
Councilmember **Debi Starnes:**

Authorizing the Mayor to enter into a second amended and restated **Water/Sewer Reimbursement agreement with Atlantic Station, L.L.C.;** appropriating funds in the amount of \$; and for other purposes.

ADOPTED BY
MAR 17 2003
COUNCIL

Submitted As Amended

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred **03/03/03**
Referred To: *Fin/E&C*
Date Referred
Referred To:
Date Referred
Referred To:
Referred To:

First Reading
Committee _____
Date _____
Chair _____
Referred To _____

FIN 3/14/03 <i>Debi Starnes</i> Chair Action Fav, Adv, Hold (see rev. side) Other Members	Committee Date Chair Action Fav, Adv, Hold (see rev. side) Other Members
Refer To	Refer To

Committee Date Chair Action Fav, Adv, Hold (see rev. side) Other Members	Committee Date Chair Action Fav, Adv, Hold (see rev. side) Other Members
Refer To	Refer To

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
 Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED
MAR 17 2003
MAYOR'S OFFICE
MAYOR

CERTIFIED
MAR 17 2003
MAYOR'S OFFICE
MAYOR

APPROVED
MAR 25 2003
MAYOR'S ACTION
MAYOR



City Council
City of Atlanta

03-R-0190

AN RESOLUTION BY:

COUNCILMEMBER DEBI STARNES

A RESOLUTION APPROVING THE GREATER HOME PARK MASTER PLAN LOCATED WITHIN PART OF COUNCIL DISTRICTS TWO AND THREE AND NPU-E.

WHEREAS, the residents of the Home Park neighborhood have begun to experience new growth throughout the district in previous years; and

WHEREAS, the residents of Home Park in cooperation with Georgia Tech, Atlantic Station, The Midtown Alliance and the local business community raised the necessary funds to project to produce a planning document, the Greater Home Park Master Plan, to assist residents and business owners in making future growth decisions; and

WHEREAS, the Bureau of Planning supports the Greater Home Park Master Plan; and

WHEREAS, this planning document entitled the GREATER HOME PARK MASTER PLAN has been endorsed by the Neighborhood Planning Unit "E" and other stakeholders in the study area; and

WHEREAS, the City Council wishes to adopt said Plan as a guide for future development.

NOW, THEREFORE THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES:

SECTION 1: That the "*Greater Home Park Master Plan*," a copy of which is attached hereto as Exhibit A, is hereby adopted by the City Council of the City of Atlanta, Georgia.

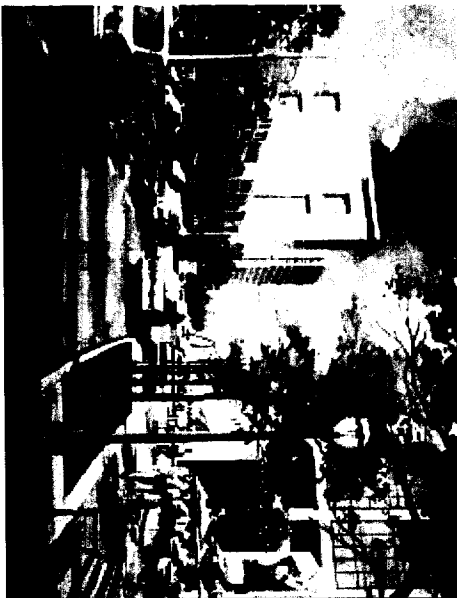
SECTION 2. That all resolutions and parts of resolutions in conflict herewith are hereby rescinded.

A true copy,

Deputy Clerk

**ADOPTED by the City Council
APPROVED by the Mayor**

March 17, 2003
March 25, 2003



Greater Home Park

EDAW

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ACKNOWLEDGMENTS

This document is the result of a dedicated, ongoing community planning effort led by the Home Park Community Improvement Association, Inc (HPCIA). We hope that this plan inspires residents, community leaders, and local businesses to strive for a healthy, safe, and prosperous Home Park community.

HPCIA OFFICERS

▪ Timothy State, President ▪ Shaun Green, Vice President/Community ▪ Jennifer Ogle, Vice President/Learning Center ▪ Jennifer Burke, Secretary ▪ Ronda Kocher, Treasurer ▪

HPCIA PLANNING AND DEVELOPMENT COMMITTEE

▪ Shawn Allen ▪ Jay Antzakas ▪ Susan Barnes ▪ Kurt Belgum ▪ Kathy Boehmer ▪
▪ Michael Brandon ▪ Nelson Burke ▪ Robert Cain ▪ Richard Cheatham ▪
▪ Shaun Green ▪ Scott Levitan ▪ Erik Lewett ▪ Randy Perkinson ▪ Railey Rembert
▪ Faset J. "Bill" Seay ▪ Bernadette Smith ▪ Timothy State ▪ Gregor Turk ▪ Jordan Williams

HPCIA PLANNING AND DEVELOPMENT COMMITTEE ADVISORY BOARD

▪ Mark Antebi, Estes-Simmons Silverplating ▪ Samuel Becknel, Jr., Georgia Tech ▪ Michael Dobbins, City of Atlanta ▪ William Gould, Marietta Street Artery Assoc. ▪ Susan Kidd, The Georgia Conservancy ▪ Michael Koblentz, Northwest Community Alliance and Loring Heights ▪ Brian Leary, Atlantic Station, LLC ▪ Scott Levitan, Georgia Tech ▪ Richard Long, Turner Properties, Inc. ▪ Joe Palladi, GDOT ▪ Shannon Powell, Midtown Alliance ▪ Randal Roark, Urban Design Workshop ▪ Scott Selig, Selig Enterprises, Inc. ▪ David Witt, Selig Enterprises

GEORGIA TECH STUDENT CONTRIBUTORS

▪ The "Edge" Project ▪ Jeffrey Landon Green ▪ Yi Lo
▪ Northside Drive Study ▪ Dwayne Guthrie ▪ Will Herbig ▪ Trupti Kalbag ▪

CONSULTANT TEAM

▪ EDAW, Inc. ▪ URS ▪

RCS# 4538
3/17/03
2:53 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-11; Except 03-O-0219; 03-O-0323
 03-O-0220; 03-O-0221
 ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

CONSENT I

3/17/03 FULL COUNCIL MEETING		
Items Adopted on the Consent Agenda		Items Adversed on the Consent Agenda
1. 03-O-0408	36. 03-R-0329	45. 03-R-0336
2. 03-O-0392	37. 03-R-0330	46. 03-R-0337
3. 03-O-0305	38. 03-R-0331	47. 03-R-0338
4. 03-O-0380	39. 03-R-0332	48. 03-R-0339
5. 03-O-0388	40. 03-R-0333	49. 03-R-0340
6. 03-O-0234	41. 03-R-0334	50. 03-R-0341
7. 03-O-0228	42. 03-R-0335	51. 03-R-0342
8. 03-O-0229	43. 03-R-0347	52. 03-R-0343
9. 03-O-0385	44. 03-R-0415	53. 03-R-0344
10. 03-O-0386		54. 03-R-0345
11. 03-R-0348		
12. 03-R-0349		
13. 03-R-0351		
14. 03-R-0352		
15. 03-R-0597		
16. 03-R-0353		
17. 03-R-0354		
18. 03-R-0190		
19. 03-R-0346		
20. 03-R-0361		
21. 03-R-0417		
22. 03-R-0356		
23. 03-R-0357		
24. 03-R-0358		
25. 03-R-0370		
26. 03-R-0371		
27. 03-R-0372		
28. 03-R-0373		
29. 03-R-0374		
30. 03-R-0383		
31. 03-R-0387		
32. 03-R-0325		
33. 03-R-0326		
34. 03-R-0327		
35. 03-R-0328		

Consent I Vote: 12Yeas; 0 Nays: (See RCS #4538)
Items Removed from the Consent Agenda: 03-O-0219; 03-O-0323; 03-O-0220; & 03-O-0221

03-Q-0190

(Do Not Write Above This Line)

COUNCIL MEMBER DEBI STARNES
A RESOLUTION APPROVING
THE GREATER HOME PARK
MASTER PLAN LOCATED
WITHIN PART OF COUNCIL
DISTRICTS TWO AND THREE
AND NPUE.

ADOPTED BY
MAR 17 2003
COUNCIL

- ☐ CONSENT REFER
 - ☐ REGULAR REPORT REFER
 - ☐ ADVERTISE & REFER
 - ☐ 1st ADOPT 2nd READ & REFER
 - ☒ PERSONAL PAPER REFER
- Date Referred 2/3/03
Referred To: CD/HR
Date Referred
Referred To:
Date Referred
Referred To:

First Reading
Committee _____
Date _____
Chair _____
Referred To _____

Committee 1/R
Date 2/11/03
Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other 3/10/03
Members P. 11'

2/25/03

Refer To

Committee

Date
Chair

Action
Fav, Adv, Hold (see rev. side)
Other
Members

Refer To

Committee CD/HR
Date 3/11/03
Chair Debi Starnes

Action
Fav, Adv, Hold (see rev. side)
Other

Members
Debi Starnes

CD/HR

Refer To

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED
MAR 17 2003

ATLANTA CITY COUNCIL PRESIDENT
Catherine M. Isadore

CERTIFIED
MAR 17 2003

Rod Douglas
MUNICIPAL CLERK

MAYOR'S ACTION
MAR 25 2003
Mayor Thomas M. Jones

LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL

FOR COPY OR TO VIEW